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CURRENT TOPICS.

THE NEW RULES for Divorce and Matrimonial Causes will destroy a lucrative branch of business hitherto enjoyed by the junior bar—namely, briefs to apply for directions as to mode of trial and to make decrees absolute. Motions of the former kind were formerly made in probate suits, but this practice was superseded by the rules under the Judicature Acts, which rules (by order 62) were not to apply to divorce proceedings. Under the new rule (205), suits where damages are claimed will be appointed for trial with a common jury, but all other cases will be set down for hearing by oral evidence before the court itself, without a jury, it being open to either party to apply by summons for a direction for trial in any other manner than that specified in the rule. Rule 206 directs the registrar to certify (before the cause is set down for trial) that the pleadings are correct and in order, and to cause any irregularity to be corrected, or to refer any question arising thereupon to the court for its direction. Rule 207 deals with the mode of making absolute decrees *nisi* for dissolution and nullity of marriage. It will now be necessary only to file in the registry notice of application for a decree absolute with the necessary affidavit or affidavits, and such decree "will thereupon be pronounced in open court at a time appointed for that purpose." The final dissolution of the marriage will therefore be a ceremony not very unlike the more cheerful earlier one of the "publication of the banns."

SOME REMARKS have appeared in the *Pall Mall Gazette* with respect to the list of commissioners appointed to inquire into corrupt practices, which have a superficial appearance of justice, but seem when their grounds are examined to be unreal and captious. It is alleged that nine of the gentlemen selected were themselves defeated candidates at the general election; that all these are "avowed political partizans," and that the inquiry is one which will "stir up the very dregs of party politics"; that "on the theory of chances some of these gentlemen may have been themselves concerned (through their agents, of course) in corrupt transactions"; and that, though their "judicial purity" need not be "in the slightest degree" impugned, their position disqualifies them, on the ground, it seems, that "they will be more or less than men if they feel no sympathy with a position which might have been their own." If it is suggested that the best qualification for a seat on a commission of inquiry is a general ignorance of the subject-matter inquired into, it will be a just conclusion that commissioners should be men who had never smelt the scent of political warfare. But if, on the other hand, some preliminary knowledge is likely to be useful, it would seem that those who have had some practical experience of such warfare possess, in this circumstance, an additional qualification. So far the selection justifies itself, but if it is really meant that sympathy with a position which might have been their own would induce the commissioners to be lax in the conduct of the inquiry intrusted to them, the suggestion can hardly be made without impugning their "judicial purity," not, indeed, "in the slightest," but in a very high, degree. The author of the objection, in fact, seems not clearly to have understood what he meant, or how much he was willing to impute; and he has, no doubt, allowed himself to be unwittingly carried by a superficial objection far beyond the point which his sober judgment would approve. For our own part we cannot leave this subject without saying that, taken as a whole, the composition of the commission is considerably above the average.

WE SHOULD REALLY like to be informed in what manner certain newspaper critics of the judges would wish them to deliver sentence in aggravated cases. Perry was convicted on Wednesday of, first of all, trying to render a fellow passenger by the railway insensible, in order to rob him of his employers' money, and next, on the failure of this scheme, making a desperate attack upon his victim with the knob-end of a stick, then robbing him of the money, and then trying to fling him out of the carriage-door while the train was in motion. Mr. Justice Stephen tried the case with calmness and impartiality, but when he came to give sentence he delivered his mind, and told the prisoner he had been guilty of a most dastardly outrage, and that he was one of the most brutal and cowardly wretches that had ever stood in the dock. Forthwith it was intimated by an evening paper that this language was "unbecoming the dignity of the bench or the majesty of the law." We must admit that Mr. Justice Stephen's remarks must have seemed rude to Mr. Perry. They probably hurt his feelings very much indeed. If the judge had addressed him as "my erring brother," and lovingly shaken his head at him, Mr. Perry would not have felt nearly so uncomfortable. Nor, it should be remembered, would the other Perrys who are lurking about the railway trains have felt that it is a degrading and cowardly thing to adopt a form of crime peculiarly tempting, from its comparative ease and likelihood of escaping discovery. There are two modes of influencing the conduct of ruffians of the Perry type. One is by stigmatizing a particular form of crime as cowardly and dastardly, for there are few men so sunk in infamy as not to hesitate to have themselves branded as cowards. The other is to dangle the cat before them, for a reasonable use of the cat does more to protect the public from these brutes than the heaviest sentence of penal servitude without it. Mr. Justice Stephen has adopted both these measures, and he has, in our opinion, done well.

THE GENERAL ELECTION of 1880 has, we believe, given rise to a larger number of Commissions of Inquiry than any general election since the passing of the Corrupt Practices at Elections Act, 1852. No fewer than eight boroughs will be the scene of an inquiry into the existence of corrupt practices; and of these constituencies Canterbury, Gloucester, and Boston will be visited by commissioners for the second time. The Act confers very wide

powers upon the commissioners, who are to be barristers of not less than seven years' standing. They are "by all such lawful means as to them appear best, with a view to the discovery of the truth," to inquire into the manner in which the election, as to which a report to the House of Commons was presented, was conducted, and whether and in what way any corrupt practices were committed at such election. If the commissioners find that corrupt practices were committed at the election into which they are authorized to inquire, "it shall be lawful" for them to make the like inquiries concerning the latest previous election, and so on in the case of each preceding election, "as far back as they may think fit," but if they do not find that corrupt practices were committed at any election, they are not to inquire concerning any previous election. They are from time to time to report to her Majesty the evidence taken by them, specifying the names of both bribers and bribed. The Act of 1852 provided for the payment of the remuneration of the commissioners and the other expenses of the inquiry "out of any money which may be provided by Parliament for that purpose," but this provision was altered by the Parliamentary Elections Act, 1868, s. 15, which provides that the expenses of any commission of inquiry which may be issued under the earlier Act "shall be defrayed as if they were expenses incurred in the registration of voters for such county or borough." In the case of a borough, under 32 & 33 Vict. c. 21, the expenses will be payable by the overseers "out of the first moneys to be collected for the relief of the poor." The mode of taking evidence is further regulated by the Corrupt Practices at Elections Act, 1863, s. 7, which provides that no witness is to be excused from answering any question relating to any corrupt practice at, or connected with, any election forming the subject of inquiry by such commissioners, on the ground that the answer may criminate, or tend to criminate, himself; but any witness answering every question which he may be required to answer, and the answers to which may criminate, or tend to criminate, him, is to be "entitled to receive" a certificate from the commissioners stating that he was required to answer, and did answer, questions, the answers to which criminated or tended to criminate him. If any information, indictment, or action is at any time thereafter pending against such witness for any offence under the Corrupt Practices Prevention Act, committed before the giving of his evidence before the commissioners, and at, or relative to, the election concerning which he was examined, the court is to stay proceedings on production and proof of the certificate, while no statement made in answer to questions put by or before the commissioners is to be admissible evidence in any civil or criminal proceeding, except an indictment for perjury. But, according to *Reg.* v. *Hulme* (18 W. R. 831, L. R. 5 Q. B. 377), a witness is not "entitled to receive" a certificate from the commissioners unless he truly answers all the questions which are put to him.

THE ANNUAL REPORT of the Comptroller and Auditor-General on the receipts and expenditure of the Paymaster on behalf of the Chancery Division and of the National Debt Commissioners' Chancery Funds for the year ending the 31st of August, 1879, has just been printed. From the accounts it appears that during the year £12,648,633 1s. 11d. in cash, and £7,498,681 13s. 3d. in securities were paid and transferred out of court, and that £12,485,864 3s. 5d. cash, and £9,294,529 4s. 8d. in securities, were brought into court. The balance in the Paymaster's books at the beginning of the year consisted of £5,191,623 18s. 3d. cash, and £67,287,678 13s. 11d. securities, and at the end of the year of £5,029,454 19s. 9d. cash, and £69,083,526 5s. 4d. in securities. All these figures are exclusive of several securities expressed in the currency of foreign countries. There is, therefore, a slight decrease in the cash in the books, and a considerable increase in the securities, showing that about a million and a half sterling of suitors' money has been added to the already enormous fund being administered by the Chancery Division, amounting to no less than £74,032,981 5s. 1d. (adding together the securities and cash), and standing to 34,765 accounts. In the year ending in 1869, this total was £63,835,946, standing to 28,948 accounts. The number of drafts drawn on these accounts during the year was 51,485; ten years ago the drafts drawn numbered 49,244. The number of transactions occasioned by deposit accounts was 14,714. During the year covered by this report the Commissioners for the Reduction of the National Debt reduced the balance left in their hands, and invested in stock by £416,548 7s. 6d., but notwithstanding this, the securities left with them now exceed by £81,417 9s. 3s. cash value, the amount of cash they are intended to secure.

THE REPORT winds up with a representation of the incompleteness of the audit on account of the inadequacy of the staff, and a letter on the subject addressed to the Treasury in January, 1880, is appended. This letter does not speak of the inadequacy of the Chancery Paymaster's staff, but we may hope that when the staff of the Auditor-General is increased, that of the Chancery Paymaster will experience the long looked for augmentation. The long list of securities in court comprises, besides English and Indian Government Funds and Metropolitan Consolidated Stock and Bank Stock, the stocks and shares of most of the railways in the United Kingdom and the shares of many joint-stock companies as well as investments in bonds and loans of the colonies and of foreign Governments. Lest it should be thought that the court invests the suitors' money in risky securities, we ought to state that all these securities, except those of the British Government, have been purchased by testators or others entitled at the time to so invest, and have been transferred into court intact. Besides these securities in the books of the Chancery Paymaster, there is a very large amount of valuable securities, which for good reasons the Paymaster refuses to have transferred into his name. These are deposited in boxes and left at the Bank of England. The list of these boxes occupies about three columns of printed matter. Looking at the magnitude and number of the transactions of the Chancery Paymaster, we should not have been surprised to hear of numerous mistakes made in the course of his business, but we are glad to find that the few discrepancies mentioned in the report are of so unimportant a nature as to be unworthy of mention or comment here.

ONE CURIOUS TRANSACTION is recorded in this report which may prove interesting to the parties concerned. A sum of £415 was invested under the authority of an old order, while a later order had directed its distribution among five claimants. When the stock came to be sold there was a profit of £21 2s. 1d., which would presumably belong to the five claimants, but which the Lords of the Treasury "decided should be transferred to the Exchequer." Either this case is incorrectly stated or the five claimants are entitled to the money now in the Exchequer.

An inquest was held on Wednesday week, at Finchley, on Mr. Samuel Smith, formerly gentleman of the chamber to Lord Hatherley, when Lord Chancellor. The jury returned a verdict "that the deceased was found dying, and did die, from the mortal effects of exhaustion, being at the time of unsound mind and of eccentric habits, after a confinement to his bed lasting ten months; and we further say that such death was due to natural causes."

RECENT DECISIONS AS TO SETTING FORTH THE CONSIDERATION IN BILLS OF SALE.

The question as to what constitutes a sufficient setting forth of the consideration in a bill of sale within the meaning of the Bills of Sale Act, 1878 (41 & 42 Vict. c. 31), s. 8, has been discussed in several recent cases which we propose to examine very briefly. By section 8 of the above mentioned Act, it is provided that "every bill of sale to which the Act applies . . . shall set forth the consideration for which such bill of sale was given," otherwise the bill of sale is to be void as against the persons therein specified.

The first reported case on the section in question is that of *Ex parte Carter, Re Threappleton* (27 W. R. 943, L. R. 12 Ch. D. 908), where the recitals in the bill of sale were to the effect that a sum of £340 had been applied for, and granted to the mortgagor in June, 1878; that in the following July an application was made to and granted by the mortgagee for a further loan of £60, both amounts to be secured by a bill of sale to be executed by the mortgagor when called upon to do so. As a fact, £240 out of the £340 had been advanced by the mortgagee to a partnership firm, consisting of the mortgagor and another person, and when the partnership was dissolved in June, 1878, a further sum of £100 was advanced by the mortgagee to the mortgagor alone. Under these circumstances the Chief Judge held that the bill of sale was void, on the ground that, although the transaction was a perfectly honest one, the recitals in the deed did not truly set forth the consideration for which it had been given, so as to satisfy the provisions of what he considered a most imperative statute. This case, as was pointed out by Pollock, B., in *Credit Company* v. *Pott* (42 L. T. N. S. 592), is clearly one in which there was an untrue statement.

In *Ex parte National Mercantile Bank, Re Haynes* (28 W. R. 848), the consideration for the bill of sale was stated to be an advance of £2,050 paid by the bank to the grantor on the execution of the deed. It appeared that the grantor had agreed to apply £550, part of the advance, in taking up two promissory notes and a bill of exchange upon which he was liable to the bank, and which fell due, one in a week, another in a fortnight, and the third in five weeks after the execution of the bill of sale, and that when the £2,050 was paid to him he immediately handed back £550 to the bank for that purpose. The Court of Appeal, reversing the decision of the Chief Judge (28 W. R. 399), held that the consideration was sufficiently set forth, inasmuch as the Act only required that to be stated which, independently of the Act, would have been properly stated as the consideration between the grantor and the grantee, and that it did not require a collateral bargain between the grantor and the grantee as to the application of the consideration to be stated. "If the consideration," said James, L.J., in delivering judgment, "is to be set forth in the bill of sale, it must be set forth truly; probably it need not be stated with minute accuracy, but it must be set forth substantially."

In *Credit Company* v. *Pott* (42 L. T. N. S. 592) the bill of sale recited that the consideration was the sum of £7,350 then paid by the grantees to the grantor. No money actually passed between the parties when the bill of sale was executed, but the sum of £7,350 was the balance due to the grantees in respect of certain advances made from time to time by them to the grantor, and Pollock, B., before whom the case was argued on further consideration, gave a liberal interpretation to the words of the section, and held that the consideration was sufficiently set forth.

Hamlyn v. *Betteley* (28 W. R. 956, L. R. 5 C. P. D. 527) was a case where the bill of sale stated that the consideration was the sum of £182 3s. now paid by the grantee to the grantor. At the trial it was proved that the grantor was paid the sum of £45 1s. 7d. in cash, the remainder being paid with his consent by the grantee in the following manner:—£112 0s. 8d. to discharge two executions against the grantor's goods; and £25 0s. 9d. to a solicitor (who attested the bill of sale) for money lent and for costs due to him from the grantor. The court (Denman and Grove, JJ.) held that in the absence of any suggestion of fraud, the consideration had been sufficiently stated within the meaning of the 8th section. "The fact," said Grove, J., in delivering judgment, "that part of the money went to other persons with the grantor's assent does not render the statement of the consideration inaccurate; it was quite competent to him to direct what should be paid to himself and what should be paid to others on his behalf. If the misstatement of the transaction is so mixed up with the consideration as to give an untrue impression of what the consideration really was, that might be an improper setting forth of the consideration, but that would be a very different case from this." This case, it may be observed in passing, is directly in point as regards the rule laid down in *Haynes' case* by the Court of Appeal, that the statute does not require a collateral bargain between the grantor and grantee as to the application of the consideration to be stated, but it differs somewhat from *Credit Company* v. *Pott*, for in the one case the grantee actually paid over the sum named as the consideration at the time when the bill of sale was executed, whereas in the other, as has already been pointed out, not a farthing passed between the parties to the bill of sale.

The latest case on the subject is *Ex parte Bestenson, Re Rogers* (42 L. T. N. S. 808), where a bill of sale, dated October 24, 1879, stated that the consideration was the sum of £560 that day paid by the mortgagee to the mortgagor. In fact, however, £500 only was paid to the mortgagor by the mortgagee, and of the remaining £60, £20 was paid to an auctioneer for a valuation of the debtor's effects, and £40 was retained by the mortgagee in respect of costs incurred in preparing the bill of sale, and other professional charges. The Chief Judge was of opinion that the bill of sale did not truly set forth the consideration, and was therefore void as against the trustee in liquidation. It is somewhat doubtful whether this decision would be supported in the Court of Appeal, as the principle laid down in *Haynes' case* with reference to collateral bargains seems to apply to the case, although the Chief Judge in the course of his judgment guarded himself against seeming to throw doubt upon the judgment in the Court of Appeal, and distinguished the cases on the ground that in *Haynes' case* it did not appear that the transaction was a mere contrivance to prefer the bank to the extent of the £500. The rule to be gathered from the decisions seems to be that if the bill of sale substantially sets forth the consideration for which it has been given, the section of the Act will be held to have been sufficiently complied with.

The *Saturday Review* of last week, referring to the suggestion to increase the jurisdiction of the Railway Commissioners, says: "The way to deal with railway companies is not to bid them adopt this, that, and the other precaution, and having done that to leave them alone; but to arm some public body with sufficient authority to insist upon the adoption of such precautions as shall from time to time seem to be reasonable. By this means the progress of science and experience could be allowed for, and railway companies would not be allowed to invite disaster by the use of machinery which, though it was once the best known safeguard against danger, has long ceased to be regarded as any real safeguard at all. Such a tribunal lies ready to the Government's hand in the Railway Commission. All that is necessary is to empower the Commissioners, either of their own motion or at the instance of some one else, to call upon a railway company to adopt any precaution against accident which it seems reasonable to require on behalf of passengers. Armed with this power, the Commissioners need have no hesitation in acting vigorously. They would say to the company—A long series of accidents has shown that, in the particular circumstances of your line, such and such precautions ought to be taken, and accordingly we order you to take them."

CHARGING A TRUSTEE OR EXECUTOR WITH INTEREST.

II.

We referred last week to the rule which has been laid down that, where it can be shown to be necessary to meet the exigencies of the testator's affairs that moneys belonging to his estate should be kept uninvested, executors will not be charged with interest on them. What will be considered as an exigency justifying the executor in keeping money uninvested is, to some extent, indicated in the judgment in *Tebbs* v. *Carpenter* (1 Mad., at p. 299). In that case it appeared that the executors had in their hands, at the end of the first year after the testator's death, a sum of £790, and they alleged that it was necessary to keep this balance in hand to meet the exigencies of the next year. Sir T. Plumer, M.R., said that this argument would have had weight "if, in fact, it was necessary to keep the balance in hand, and there were pressing demands which required it, but the current receipts were greatly more than sufficient to answer the current payments"; hence he charged the executors with interest. It is to be observed that in this case there was an express direction to the executors in the will to invest portions of the estate not required, but it would seem that, in order to avoid payment of interest, the executor must show that he had reasonable ground for believing that the money kept in hand would be needed to meet pressing demands which subsequent expected current receipts would not suffice to meet. He must consider, at the end of the first year after the testator's death, whether the balance he has in hand is greater than will be required to meet the payments he will have to make within the next year, and he must not suppose that he will be justified in keeping a sum uninvested because he happens to find it so at the testator's death. It has been laid down that if an executor finds a large sum of money at the testator's bankers, and does not invest it for the benefit of the estate, he will be charged with interest (*Williams* v. *Powell*, 15 Beav., at p. 467).

Before, however, the court will charge executors with interest on balances, it requires clear and distinct evidence that there was a balance in their hands. It will not act upon a mere probability or inference (*Davenport* v. *Stafford*, 14 Beav. 319, 333). In the last-mentioned case it appeared that a testatrix, who was herself an executrix, had in that capacity received a sum of £12,510 assets. Her executors, having admitted assets to pay all her debts, the court was asked to infer that this sum had come to their hands, but the Master of the Rolls held that, in the absence of any further proof, the executors were not liable for interest. "It is probable," the court said, "as they admitted assets, that they had assets [of their testatrix] in their hands applicable to the payment of this sum; yet it is exceedingly probable that the whole of these assets might have been outstanding at the time, although when got in they might have been amply sufficient for the payment of everything which should be found due from the estate. There is nothing whatever to show that they might have been since recovered from year to year; and there is no evidence whatever that any cash actually came to their hands upon the death of the testatrix, though to charge them it is absolutely essential to have that fact established" (14 Beav. 333).

Moreover, it appears that in order to give a claim for interest against executors there must be a clear case of improper retention of balances to a considerable or substantial amount (*Jones* v. *Morrell*, 2 Sim. N. S., at p. 252). In this case the total balance retained arising out of the personal estate amounted to less than £96, and the total share of the rents of the leasehold estate to about £88, and the Court refused to charge the executors with interest. See also *Davenport* v. *Stafford* (14 Beav., at p. 330), where the principle upon which the court acts was stated by Romilly, M.R., as being that, if a trustee improperly retains in his hands a *large* balance, he will be charged with interest on the balance; and *Longmore* v. *Broom* (7 Ves. 124), where executors were charged with interest on balances since 1793, "no considerable balance appearing to have been in their hands before that period." The question of what is to be deemed a balance of substantial amount improperly retained must, it is apprehended, be decided by a consideration of the total value of the estate. In *Melland* v. *Gray* (2 Coll. 295), Knight Bruce, V.C., held that the sum of £356 8s. 4d. was not an unreasonable sum to be retained by an executor nearly two years after the testator's death, and declined to charge him with interest on that sum: see p. 301. But in this case the executor had received over £27,000 on account of the testator's personal estate.

It has often been laid down that a trustee or executor who keeps trust money in his hands uninvested shall be charged with the same rate of interest as he has actually made or may fairly be presumed to have made by it (*Burdick* v. *Garrick*, 18 W. R. 387, L. R. 5 Ch., at p. 243; *Lee* v. *Lee*, 2 Vern. 547; *Rocke* v. *Hart*, 11 Ves., at p. 60; *Attorney-General* v. *Alford*, 4 De G. M. & G., at p. 851). The rule which is acted upon, however, seems to be that the court will charge the executor or trustee with simple interest at four per cent. per annum (*Rocke* v. *Hart*, 11 Ves., at p. 61; *Forbes* v. *Ross*, 2 Cox, at p. 116; *Attorney-General* v. *Alford*, 4 D. M. & G. 843, 851; *In re Hilliard*, 1 Ves., jun., 89; *Jones* v. *Foxall*, 15 Beav., at p. 392; *Knott* v. *Cottee*, 16 Beav., at p. 80; *Robinson* v. *Robinson*, 1 D. M. & G., at p. 255; *Johnson* v. *Prendergast*, 28 Beav. 480; *Saltmarsh* v. *Barrett* (No. 2) 31 Beav., at p. 350); unless a special case is made out (*Treves* v. *Townshend*, 1 Bro. C. C., at p. 386; *Hall* v. *Hallet*, 1 Cox, at p. 138; *Tebbs* v. *Carpenter*, 1 Mad., at p. 306; *Woodhead* v. *Marriott*, C. P. Cooper, 62), showing that the trustee or executor either has or ought to have made interest on the trust money at a rate exceeding four per cent. per annum. The mere fact that a trustee or executor has mixed the trust money with his own money is no reason for charging him with a higher rate of interest than four per cent. per annum (see *Perkins* v. *Baynton*, 1 Bro. C. C. 375; *Attorney-General* v. *Alford*, 4 D. M. & G. 843, 847; *Melland* v. *Gray*, 2 Coll. 295, 306.)*

Under the following circumstances an executor or trustee will be charged a higher rate of interest than four per cent. per annum:—

(1) If a higher rate than four per cent. per annum has been actually made by the executor or trustee. In this case the court will charge him with the rate of interest he has made (*Forbes* v. *Ross*, 2 Cox, at p. 116; *Hall* v. *Hallet*, 1 Cox, at p. 138; *Gilbert* v. *Price*, 22 Solicitors' Journal, 584, W. N. 1878, p. 117; *In re Hilliard*, 1 Ves. jun. 89 [as to assignees of a bankrupt]; but see *Fletcher* v. *Green*, 33 Beav. 426, where trustees, in breach of trust, lent trust money to one of themselves and his partners in trade, who gave their bond for the sum and interest at five per cent.; it was held, in a suit to make the trustees liable for breach of trust, that the trustee to whom the money was lent was liable only to pay four per cent.).

(2) If the trust fund has been taken by the trustee or executor from a proper state of investment, in which it was producing five per cent., and used by himself. In this case he will be charged with interest at the rate of five per cent. (*Jones* v. *Foxall*, 15 Beav., at p. 392; *Piety* v. *Stace*, 4 Ves. 620; *Mosley* v. *Ward*, 11 Ves. 581; *Raphael* v. *Boehm*, 13 Ves. 407, 411: see *Taylor* v. *Gerst*, Moseley, at p. 99; *Pocock* v. *Reddington*, 5 Ves., at p. 799). In *Crackelt* v. *Bethune* (1 Jac. & W. 586) an executor who had unnecessarily sold out and retained funds

* An attempt has been made to explain the different rates of interest with which executors are charged as depending upon the distinction between negligence and misfeasance (*Tebbs* v. *Carpenter*, 1 Mad., at p. 306); but this distinction does not correspond with the circumstances under which the different rates have been charged, and is contrary to the principle on which, in recent times, the charging of interest in these cases has been based.

invested in the three per cents. was charged with interest at five per cent. per annum "for a direct breach of trust," but it is apprehended that this is inconsistent with the principle of the recent decisions; unless (as rather appears from the judgment, see page 588) the executor had employed the money in trade. On principle it would seem that if the trust fund at the time it was sold out was producing, on a proper investment, more than five per cent. per annum, the trustee or executor must be charged with the rate of interest which the fund was producing before the sale. This does not seem to have been laid down in any judgment, but probably this is due to the fact that few authorized investments will produce a higher rate of interest than five per cent.

(3) If the trustee or executor has employed the trust money in trade or speculation for his own benefit, whether he has employed it in a separate business or adventure, or mixed it with his own money and employed it in a business of his own (*Docker* v. *Somes*, 2 My. & K. 665, 667), he will be liable for all losses and will be charged with all the profits actually obtained by him from the use of the money (*Docker* v. *Somes*, 2 My. & K. 655), or at the option of the *cestui que trust*, or in case it cannot be ascertained what profits have been made (*Montgomery* v. *Wauchope*, 4 Dow., at p. 131; *Walker* v. *Woodward*, 1 Russ. 107), with interest at five per cent. per annum, on the presumption that this rate of interest will be made on money employed in trade (*Jones* v. *Foxall*, 15 Beav. at p. 392; *Heathcote* v. *Hulme*, 1 J. & W. 122; *Ex parte Watson*, 2 Ves. & B. 414; *Attorney-General* v. *Solly*, 2 Sim. 518; *Western* v. *Chapman*, 1 Coll. 177, 181; *Brown* v. *Sansome*, 1 McCl. & Y. 427, 434; *Sutton* v. *Sharp*, 1 Russ., at pp. 150, 151; *Saltmarsh* v. *Barrett* (No. 2), 31 Beav., at p. 350; *Flockton* v. *Bunning*, L. R. 8 Ch., at p. 223, note; *Vyse* v. *Foster*, L. R. 8 Ch., at p. 329). The *cestui que trust* cannot claim *both* interest and profits in respect of the money employed in trade; he must elect between them (*Vyse* v. *Foster*, L. R. 8 Ch., at p. 334); and it has been said that in general he must elect to take either the profits for the whole period during which the money has been employed in business, or interest for the whole period, but there may be circumstances which would be sufficient to divide such period (*Heathcote* v. *Hulme*, 1 J. & W. 122, 133; *Burdan* v. *Burdan*, cited *Ib.* at p. 134). The ground on which this right rests is this. The employment in trade is unwarrantable; but if it turns out to have been profitable the *cestui que trust* has a right to follow the money, as it is said, into the trade. In such a case the trade profits have, in fact, been produced by the employment of the money of the *cestui que trust*, and it would be manifestly unjust to permit the trustee to rely on his own misconduct in having exposed the funds to the risk of trade as a reason for retaining the extra profits beyond interest for his own benefit. Even where no such extra profits have been made, the *cestui que trust* is in general at liberty to charge his trustee who has allowed the trust money to be employed in trade with interest at five per cent., that being the ordinary rate of interest paid on capital in trade (*Robinson* v. *Robinson*, 1 D. M. & G., at p. 257).

A Bristol paper states that a young gentleman who has been for some months an inmate of a lawyer's office, entered with the determination, as he announced to his family, to become Secretary of State. There would seem to be some probability of his succeeding, to judge from the following note sent the other day to his anxious mother, who had inquired why he did not come home to see them oftener:—"The impossibility of my absence will be readily apparent when I convey the intelligence that my senior principal is at the current juncture exhaustively engaged in the preparation of a voluminous series of intercalatory interrogatories to be propounded to a supposedly recalcitrant witness whose testimony is of cardinal importance in the initial stages of an approaching preliminary investigation involving the most momentous consequences."

General Correspondence.

COUNTY COURT EXECUTIONS.

[*To the Editor of the Solicitors' Journal.*]

Sir,—The county court system has long been payment in advance for all court fees, and as the poundage for a warrant of execution is 1s. 6d. on the debt, court fees previously paid, and solicitor's costs, there are many debts which amount to over £19 and therefore pay 30s. Now, for this fee, it is presumed that the bailiff will do all the sheriff's officer does at his own risk, and on realizing at once pay into his court for the creditor's use, but this unfortunately is rarely done. The sheriff's officer levies, and if told of a bill of sale is obliged to get instructions before withdrawing, and failing, has to interplead at his own expense. The county court bailiff appears to accept any notice of a bill of sale and even without a formal claim, probably a month afterwards, returns simply "bill of sale." If a sheriff's officer acted in this way, solicitors would know what to do; but there seems a difference with high bailiffs, who claim a month before making any return; but is this legal? Has not the county court bailiff the same responsibility as sheriffs when on levy he finds a bill of sale? Should this not, at least, be communicated to the creditor, even if an interpleader summons (which by the way costs the high bailiff nothing) is not at once issued? In foreign courts—and the metropolitan are foreign to each other and the City for this purpose—it is difficult to get any return, and when obtained, many weeks after issue, it is simply "bill of sale," without a word of explanation.

G. MANLEY WETHERFIELD.

Gresham-buildings, E.C.

"MASTERISM."

[*To the Editor of the Solicitors' Journal.*]

Sir,—I venture to call your attention to an example of what, for want of a better term, I shall designate "Masterism," which I think may well deserve the attention of your readers and the public generally.

This is the case:—Our client recovers judgment for a large sum, and the only chance of realizing it is a garnishee order upon one of the defendant's debtors. Armed with the usual affidavit (which plaintiff came a long distance to make in order to save time), I attended at the Royal Courts this morning to make application for an order. No master was "sitting in chambers," however, so I went "upstairs" to a learned master, who *was* "sitting" as "taxing master." That learned master was, at the time, doing absolutely nothing. Nobody was in his room but himself, and nobody was waiting to enter it. I asked him, as the case was urgent and there was no master below, to hear my application. His answer was, "No, certainly not!" Of course, technically, he was sitting as "taxing master," and, had he been engaged in that capacity, there would have been some reason for his peremptory refusal; but, seeing that my application would not, literally, have taken two minutes, whilst the delay of twenty-four hours may cost the plaintiff £200, I think that the *lex loci* (if any) which allows a master to evade his duty, under the circumstances mentioned, should be brought to the notice of the judges, and so altered as to enable parties at all reasonable times to obtain that relief and justice which the masters are paid and supposed to administer.

September, 1880. W. H.

It is announced that the Attorney-General has written to the commissioners appointed to inquire into corrupt practices at elections, suggesting that the investigation should be held as early as possible—certainly not later than the first week in October—and also speaking of the desirability of the secretaries to the several commissions proceeding without delay to the different localities respectively, in order to prepare the evidence to be laid before the commissioners.

New Orders, Etc.

PROBATE, DIVORCE, AND ADMIRALTY DIVISION.

Additional and Amended Rules and Regulations for the Probate, Divorce, and Admiralty Division of her Majesty's High Court of Justice in Divorce and Matrimonial Causes.

"205. It shall not be necessary in any case to apply to the court by motion for directions as to the mode of hearing or trial of a cause. When the pleadings are concluded, the parties to a cause may proceed in all respects as though upon the day of filing the last pleading a special direction had been given by the court as to the mode of hearing or trial to the effect following:—

"1. In cases in which damages are not claimed, that the cause be heard by oral evidence before the court itself, without a jury.

"2. In cases in which damages are claimed, that the cause be tried before the court with a common jury.

"And any party to a cause may apply by summons for a direction that the cause may be heard or tried otherwise than is hereby provided.

"206. Before a cause is set down for hearing or trial the pleadings and proceedings in the cause shall be referred to one of the registrars, who shall certify that the same are correct and in order, and the registrar to whom the same are referred shall cause any irregularity in such pleadings or proceedings to be corrected, or refer any question arising thereupon to the court for its direction; any party to the cause objecting to such direction of the registrar may (subject to any order as to costs) apply to the court on summons to rescind or vary the same.

"207. Application to make absolute a decree *nisi* for dissolution or nullity of a marriage need not hereafter be made to the court by motion as directed by rules 80 and 194, but it shall be a sufficient compliance with the said rules to file in the registry, with the affidavit or affidavits therein required, a notice in writing setting forth that application is made for such decree absolute, which will thereupon be pronounced in open court at a time appointed for that purpose."

[The rules take effect from the 10th of last month.]

WINTER ASSIZES ACTS.

The *London Gazette* of the 14th inst. contains Orders in Council in pursuance of the Winter Assizes Acts, 1876 and 1877, constituting the following Winter Assize Counties for the Winter Assize of 1880.

No. 4.—Lincolnshire, Nottinghamshire, and the City of Lincoln: assizes held at Nottingham.

No. 6.—Northamptonshire, Bedfordshire, and Buckinghamshire: assizes held at Northampton.

THE EXTRADITION ACT.

An Order in Council is published in the *Gazette* of the 14th inst. giving effect to an Ordinance of the Legislature of St. Vincent (the Extradition Ordinance, St. Vincent, 1880), extending the provisions of the Extradition Act, 1870, to that colony.

A correspondent informs the *Pall Mall Gazette* that the case of Mr. T. E. Lefroy, the judge of the Dorset and Somerset County Courts, regarding whom a deputation of solicitors and newspaper proprietors recently waited upon the Lord Chancellor, has received the fullest consideration, and it is now understood that his Honour will retire on a pension. Mr. Lefroy has not sat in any of the courts since the deputation waited upon the Lord Chancellor, and Mr. Oppenheim has been officiating as deputy-judge.

Cases of the Week.

MOTION TO RESTRAIN SUING ON BILL — ACTION IN ANOTHER DIVISION.—In a case of *Ross* v. *Semple*, before Lindley, J., sitting as Vacation Judge, on the 16th inst., a motion was made in the Chancery Division to restrain a defendant from suing on a certain bill as to which he had commenced an action in another division. The notice of motion did not go beyond this, and the objection was taken on behalf of the defendant that no such order could be made, and that the motion should be dismissed with costs. LINDLEY, J., was of opinion that the notice of motion on this point was irregular in asking for the stay of proceedings of an action in another division, and he accordingly refused the motion, and directed the costs to be the defendant's in any event.—SOLICITORS, *G. H. Terrell; G. B. Bathurst Norman.*

PARTNERSHIP—RECEIVER—LIBERTY FOR PARTNER TO PROPOSE HIMSELF AS RECEIVER.—In a case of *Jepps* v. *Pritchard*, also before Lindley, J., on the 16th inst., a motion was made in a partnership action for the appointment of a receiver. A question arose as to the form of order, and it was proposed that there should be the usual reference to chambers with liberty to each party to propose himself. For the defendant, one of the partners, it was stated that this liberty would be of no use, as he had been recently injured in a railway accident, and could not undertake the management of the property. It was contended, therefore, that the effect of the liberty would be to have the plaintiff appointed. For the defendant, it was also stated there were objections to the appointment of the plaintiff. LINDLEY, J., said that he thought the justice of the case would be met by giving both of the parties liberty to nominate himself. It was not the plaintiff's fault that the defendant was injured, and the objections to the plaintiff could of course be brought before the chief clerk when the receiver was nominated.—SOLICITORS, *Piesse & Son; H. F. & E. Chester.*

ADMINISTRATION—RECEIVER—INTESTACY—HEIR-AT-LAW—ADMINISTRATOR.—In a case of *Re David Roberts' Estate, Silverton* v. *Roberts*, also before Lindley, J., on the 16th inst., a motion was made in an administration action by a creditor for a receiver. The defendant was heir-at-law and administrator, and, although not desiring to admit assets, yet desired to contest the validity of the debt. For him it was submitted that the motion for a receiver against an heir-at-law was entirely novel, and that as to the personal estate no case was made against the administrator. The defendant, however, offered to consent to have a reference to chambers as to the existence of the debt without prejudice to any question. LINDLEY, J., said he thought the motion was not regular and was novel to him, but that, as the defendant consented, he would direct a reference to inquire as to the plaintiff's debt without prejudice to any question. The costs of the motion and all questions as to its propriety would be reserved.—SOLICITORS, *H. S. Harris & Godwin; J. McDiarmid.*

Obituary.

MR. JOHN GWYNNE.

Mr. John Gwynne, solicitor (of the firm of Gwynne & Stokes), town clerk of Tenby, died at that place on the 2nd inst. Mr. Gwynne was born in 1808, and was admitted a solicitor in 1840, and had practised for forty years at Tenby. During part of that time he also had offices at Pembroke and Narberth. He had for the last few years been associated in partnership with Mr. Charles William Rees Stokes. He was a commissioner to administer oaths in the Supreme Court of Judicature, and a perpetual commissioner for Pembrokeshire. He was elected town clerk of the borough of Tenby in 1865, and held that office until his death. He was also clerk to the borough magistrates, to the Commissioners of Land, Assessed, and Income Taxes; to the South Wales Highway Board, and solicitor and treasurer to the Tenby Charity Trustees. Mr. Gwynne was buried at the Tenby Cemetery on the 7th inst., the Mayor of Tenby and most of the members of the corporation being present at the funeral.

JUVENILE OFFENDERS.

In a circular letter to the metropolitan police magistrates as to the punishment of juvenile criminals, the Home Secretary points out the undesirability—where it is possible for any other course to be adopted—of sending offenders of tender years to prison, and advises that wherever practicable the punishment of the birch should be awarded in preference to incarceration.

Mr. Rawlinson sends to the *Times* the following statistics as to the number of juvenile offenders sent to gaol. He says, "At page 37 of the 'Judicial Statistics for 1878' (issued 1879), statistics as to 'Prisons,' they will find that the following are the numbers of children under 12 years of age, and of those of 12 years and under 16, committed to prison in the year ending the 31st of March, 1879, and in each of the seven preceding years:—

	1877-8.	1876-7.	1875-6.	1874-5.	1873-4.	1872-3.	1871-2.	1870-1.
Under 12 years of age:—								
Males	667 ..	982 ..	940 ..	1,016 ..	1,362 ..	1,370 ..	1,442 ..	1,341
Females	63 ..	83 ..	58 ..	68 ..	108 ..	112 ..	120 ..	126
Total	730 ..	1,065 ..	998 ..	1,084 ..	1,470 ..	1,482 ..	1,562 ..	1,467
Aged 12 and under 16 years:—								
Mles.	5,270 ..	5,629 ..	5,292 ..	5,303 ..	6,508 ..	6,602 ..	6,628 ..	6,480
Fems.	820 ..	888 ..	848 ..	825 ..	905 ..	1,185 ..	1,173 ..	1,030
Toll.	6,090 ..	6,517 ..	6,140 ..	6,128 ..	7,473 ..	7,877 ..	7,801 ..	7,510
Total under 16 years:—	6,810 ..	7,682 ..	7,138 ..	7,212 ..	8,943 ..	9,359 ..	9,363 ..	8,977

The table at pages 92 and 93 shows the birthplace of those committed and the counties and places in which they were so committed.

It is both humbling and depressing to find that in eight years 65,384 children under 16 years of age should have been sent to gaol in England and Wales."

In connection with this subject Mr. T. Cousins, of Portsmouth, has drawn attention to what he considers a serious mistake in the Summary Jurisdiction Act, 1879, the consequence of which is that justices have now no power to fine children under the age of 12 years for most indictable offences. He has addressed to the Home Office the following letter, in reply to which no opinion has been offered:—

"Justices' Clerk's office, Portsmouth,
"December 17, 1879.

"Sir,—I beg to draw your attention to an omission in the 10th section of the Summary Jurisdiction Act. Take a very ordinary case. A 'child' is charged with larceny. The section provides that the court, if the parent, &c., does not object, may deal summarily with the offence 'and inflict the same description of punishment as might have been inflicted had the case been tried on indictment.' Now upon a trial on indictment a fine may be inflicted for some offences—*e.g.*, for an assault (24 & 25 Vict. c. 100, s. 71). But for larcenies and a very large majority of other offences the court has no power to inflict a fine upon trial on indictment. And section 10 of the Summary Jurisdiction Act confers no such power upon the justices. It merely limits the amount 'where a fine is awarded'—*i.e.*, in cases where there is power to inflict a fine upon trial on indictment, but in no other cases. No doubt it was intended to confer a power to fine by section 10, but such power cannot be given by presumed intention, or by implication. At the present moment* justices have the power to fine 'juvenile offenders' for offences comprised in the Juvenile Offenders Acts, but these Acts are repealed by the second schedule to the Summary Jurisdiction Act, 1879. The above contention is supported by the fact that powers to fine are expressly conferred as regards 'young persons' (section 11) and as regards 'adults' (section 12).

"As the above is a very important point of practice, may I venture to ask your views upon it for our guidance here?

"I have the honour to be, Sir, your obedient servant,
"Thomas Cousins, Clerk to the Justices of the
"Borough of Portsmouth.

"A. F. O. Liddell, Esq., Q.C., her Majesty's Under-Secretary of State for the Home Department, Whitehall, London, S.W."

* That was prior to the 1st of January, 1880, but not after that date.

Appointments, &c.

Mr. Arthur Charles, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the City of Canterbury, was educated at University College, London, and graduated B.A. of the University of London in 1858. He was called to the bar at the Inner Temple in Hilary Term, 1862 (having in the previous November obtained a first-class certificate of honour), and he is a member of the Western Circuit. Mr. Charles became a Queen's Counsel in 1877, and he is recorder of the city of Bath, a bencher of the Inner Temple, and a member of the Incorporated Council of Law Reporting.

Mr. Edward Harry Adcock, solicitor (of the firm of Starkey & Adcock), of 19, Palmerston-buildings, Old Broad-street, in the city of London, has been appointed a Commissioner to take Affidavits, &c., in the High Court of Judicature at Fort William, in Bengal, and also to take the Acknowledgments of Married Women in respect of property in British India.

Mr. Ernest Baggallay, barrister, has been appointed Secretary to the Sandwich Election Commission. Mr. Baggallay is the son of the Right Hon. Sir Richard Baggallay, Lord Justice of Appeal. He was educated at Marlborough, and at Caius College, Cambridge, and was called to the bar at Lincoln's-inn in Easter Term, 1873. He practises on the South-Eastern Circuit, and at the Surrey Sessions. In 1875 he was secretary to the Boston Election Commission.

Mr. James William Bowen, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Boston, was called to the bar at the Middle Temple in Hilary Term, 1851, and is a member of the South Wales and Chester Circuit. He became a Queen's Counsel in 1873, and is a bencher of the Middle Temple.

Mr. Hugh Cowie, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the City of Oxford, was educated at Trinity College, Cambridge, where he graduated as a wrangler in 1851. He was called to the bar at Gray's-inn in Hilary Term, 1862, and practises on the South-Eastern Circuit. Mr. Cowie was secretary to the commission on the Criminal Code Bill, and he is chancellor of the diocese of Durham, recorder of Maldon and Saffron Walden, and prosecuting counsel to the Post-office at the Central Criminal Court.

Mr. Charles Marshall Griffith, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Knaresborough, was educated at Wadham College, Oxford, where he graduated second class in *Literæ Humaniores* in 1852. He was called to the bar at the Inner Temple in Michaelmas Term, 1855, and is a member of the South-Eastern Circuit. He became a Queen's Counsel in 1877, and he is a bencher of the Inner Temple, a magistrate and deputy-lieutenant for Cardiganshire, and chairman of quarter sessions for that county.

Mr. William Haworth Holl, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Sandwich, was called to the bar at the Inner Temple in Michaelmas Term, 1851, and is a member of the South-Eastern Circuit. He became a Queen's Counsel in 1877, and is a bencher of the Inner Temple.

Mr. George Higinbotham, barrister, has been appointed a Puisne Judge of the Supreme Court of the Colony of Victoria. Mr. Justice Higinbotham was called to the bar at Lincoln's-inn in Trinity Term, 1853, and was called to the bar at Melbourne in the following year.

Sir Joseph George Long Innes, knight, has been appointed Minister of Justice for the Colony of New South Wales. Sir J. Innes is the eldest son of Captain Joseph Long Innes, and he was born in 1834. He was called to the bar in Lincoln's-inn in Michaelmas Term, 1859, having in the previous May obtained a first-class certificate of honour, and he was called to the bar at Sydney in 1862. He was Solicitor-General of New South Wales from May, 1872, till November, 1873, and Attorney-General from November, 1873, till February, 1876. He is a member of

the Legislative Council of the colony, and in 1875 he received the honour of knighthood for his special services on the occasion of the annexation of the colony of Fiji.

Mr. Francis Henry Jeune, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Sandwich, is the son of the late Right Rev. Francis Jeune, Bishop of Peterborough, and he was educated at Harrow. He was formerly scholar of Balliol College, Oxford, where he graduated first class in *Literæ Humaniores* in 1865. He obtained the Stanhope Prize in 1863, and the Arnold Prize in 1867, and he was afterwards elected a fellow of Hertford College. He was called to the bar at the Inner Temple in Michaelmas Term, 1868, and is a member of the South-Eastern Circuit. Mr. Jeune is chancellor of the dioceses of St. David's and Bangor, and at the recent general election he contested Colchester in the Conservative interest.

Mr. Charles George Merewether, Q.C., who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Macclesfield, is the son of the Rev. Francis Merewether, rector of Cole Orton, Leicestershire. He was born in 1823, and was educated at Wadham College, Oxford, where he graduated B.A. in 1843. He was called to the bar at the Inner Temple in Hilary Term, 1848, and is a bencher of the Midland Circuit. He became a Queen's Counsel in 1877, and is recorder of Leicester and a bencher of the Inner Temple. He was M.P. for Northampton in the Conservative interest from 1874 till the last general election.

Mr. John Arnold Thorne, solicitor, of Barnstaple, has been elected Clerk to the Ilfracombe Local Board, in succession to Mr. Christopher George Barnett, resigned. Mr. Thorne was admitted a solicitor in 1867.

Mr. Richard Edward Turner, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the Borough of Sandwich, was educated at Shrewsbury and at Trinity College, Cambridge, where he graduated as a wrangler and also in the second class of the classical tripos in 1836. He practised for several years as a special pleader, and was called to the bar at the Inner Temple in Easter Term, 1853. Mr. Turner practises on the South-Eastern Circuit, and is one of the revising barristers for the county of Essex.

Mr. Robert Samuel Wright, barrister, who has been appointed a Commissioner to inquire into the existence of corrupt practices in the City of Canterbury, was formerly scholar of Balliol College, Oxford, where he graduated first class in *Literæ Humaniores* in 1860. He obtained the Latin Verse Prize in 1859, the English Essay Prize and the Craven Scholarship in 1861, and the Arnold Prize in 1862, and he was afterwards elected a fellow of Oriel College. He was called to the bar at the Inner Temple in Trinity Term, 1865, and is a member of the Northern Circuit.

DISSOLUTION OF PARTNERSHIP.

Francis Thomas Steavenson and James Matthew Meek, Darlington and Middlesborough, Yorks, solicitors (Steavenson & Meek). Aug. 11.

[*Gazette*, Sept. 14, 1880.]

Companies.

WINDING-UP NOTICES.

Joint Stock Companies.

Limited in Chancery.

Patent Liquid Metallic Capsuling, Paint, Gilding, and Silvering Company, Limited.—Baron Pollock for V.C. Malins has, by an order dated Aug 24, appointed George Sneath, Gresham st, to be official liquidator

[*Gazette*, Sept. 14.]

Friendly Societies Dissolved.

Brewood Female Friendly Society, National School, Brewood, Stafford. Sept 7

Brewood Friendly Institution, National School, Brewood, Stafford. Sept 7

Forge Hammer Inn Mutual Benefit Society, Forge Hammer Inn, Cinderford, Gloucester, Sept 7

Friendly Society, or Overton Club, White Horse inn, Overton, Flint. Sept 8

Men of Ebbi Benefit Society, Beddgelert, Carnarvon, Sept 7

[*Gazette*, Sept. 10.]

Amalgamated Hair Dressers of all Nations Society, City of Norwich, Norfolk st, Park lane. Sept 10

Tradesmen's Society, Rose and Crown Inn, Ashdon, Essex. Sept 10

[*Gazette*, Sept. 14.]

Societies.

INSTITUTE OF INTERNATIONAL LAW.

At the sitting on Thursday the Institute adopted the Manual of the Laws of War which has been drawn up by M. Moynier. Copies of the manual will be forwarded to each of the Governments of the civilized world.

At the sitting on Friday the consideration of the report of the committee dealing with the law of maritime prizes, was adjourned in the absence of M. Bulmerincq, as also was that of Sir Travers Twiss on the application to Eastern races of the customary law of nations of Europe. The members of the society then gave a *compte rendu* of the chief publications and facts relating to the history of international law in their respective countries during the past year. M. Pierantoni, in doing this for Italy, described a forthcoming book of his which he proposed to dedicate to the University of Oxford as a sketch of the history of international relations in ancient and modern times. M. Martens mentioned the celebration of the centenary of the declaration of armed neutrality of 1780 which had taken place this year in Russia. Sir Travers Twiss enumerated as the principal English works on the subject issued during the past year those of Professor Lorimer "The Institutes of Law," intended not for jurists only, but for cultivated persons generally, of Mr. W. E. Hall ("On International Law"), of Professor Holland ("The Elements of Jurisprudence," the two final chapters dealing with international law), and the re-issue by Mr. Westlake of his book on "Private International Law"—a work practically new, and brought up to the level of the present state of the science. M. Landa dealt with Spain, and M. Clunet with France, in which country there had appeared during the year M. Villefort's collection of treaties, &c., relating to the peace with Germany; M. Cogordan's work "De la Nationalité"; M. Clunet's on the defects in the validity of various treaties between France and other countries, and a treatise by the same author on the present international relations in the matter of trade-marks with the United States, as well as the *Journal de Droit International Privé*, edited by him.

At the afternoon sitting resolutions on the subject of extradition were discussed. As ultimately adopted they are as follows:—

"1. L'extradition est un acte international, conforme à la justice et à l'intérêt des Etats, puisqu'il tend à prévenir et à réprimer efficacement les infractions à la loi pénale.

"2. L'extradition n'est pratiquée d'une manière sûre et régulière que s'il y a des traités, et il est à désirer que ceux-ci deviennent de plus en plus nombreux.

"3. Toutefois ce ne sont pas les traités seuls qui font de l'extradition un acte conforme au droit et elle peut s'opérer même en l'absence de tout lien contractuel.

"4. Il est à désirer que, dans chaque pays, une loi règle la procédure de la matière, ainsi que les conditions auxquelles les individus réclamés comme malfaiteurs seront livrés aux gouvernements avec lesquels il n'existe pas de traité.

"5. La condition de la réciprocité, en cette matière, peut être commandé par la politique; elle n'est pas exigée par la justice.

"6. Entre pays dont la législation criminelle reposerait sur des bases analogues et qui auraient confiance mutuelle dans leurs institutions judiciaires, l'extradition des nationaux serait un moyen d'assurer la bonne administration de la justice pénale, parce qu'on doit considérer comme désirable que le juridiction du *forum delicti commissi* soit, autant que possible, appelée à le juger.

"7. En admettant même la pratique actuelle qui soustrait les nationaux à l'extradition, on ne devrait pas tenir compte d'une nationalité acquise seulement depuis la perpétration du fait, pour lequel l'extradition est réclamée.

"8. La compétence de l'Etat requérant doit être justifiée par sa propre loi, et elle ne doit pas être en contradiction avec la loi du pays de refuge.

"9. S'il y a plusieurs demandes d'extradition pour le

même fait, la préférence devrait être donnée à l'Etat sur le territoire duquel l'infraction a été commise.

"10. Si le même individu est réclamé par plusieurs Etats à raison d'infractions différentes, on devrait avoir égard, en général, à la gravité relative de ces infractions.

"11. En règle, on doit exiger que les faits, auxquels s'applique l'extradition, soient punis par la législation des deux pays, excepté dans les cas où, à cause des institutions particulières ou de la situation géographique du pays de refuge, les circonstances de fait qui constituent le délit ne peuvent s'y produire.

"12. L'extradition, étant toujours une mesure grave, ne doit s'appliquer qu'aux infractions de quelque importance. Les traités doivent les énumérer avec précision; leurs dispositions à ce sujet varient naturellement suivant la situation respective des pays contractants.

"13. L'extradition ne doit pas avoir lieu pour faits politiques.

"14. Le gouvernement requis apprécie souverainement, d'après les circonstances, si le fait à raison duquel l'extradition est réclamée a ou non un caractère politique. Dans cette appréciation, il doit s'inspirer des deux idées suivantes:

"(a.) Les faits, qui réunissent tous les caractères de crimes de droit commun (assassinats, incendies, vols), ne doivent pas être exceptés de l'extradition à raison seulement de l'intention politique de leurs auteurs.

"(b.) En tout cas, l'extradition pour crimes ayant tout à la fois le caractère de crime politique et de crime de droit commun ne devra être accordée que si l'Etat requérant donne l'assurance que l'extradé ne sera pas jugé par des tribunaux d'exception.

"15. L'extradition ne doit pas s'appliquer à la désertion des militaires appartenant à l'armée de terre ou de mer, et aux délits purement militaires. L'adoption de cette règle ne fait pas obstacle à la livraison des matelots appartenant à la marine de l'Etat ou à la marine marchande, qui est réglée par les traités ou par les usages maritimes.

"16. Une loi ou un traité d'extradition peuvent s'appliquer à des faits commis antérieurement à leur mise en vigueur.

"17. L'extradition doit avoir lieu par la voie diplomatique.

"18. Il est à désirer que, dans le pays de refuge, des magistrats soient appelés à apprécier la demande d'extradition après un débat contradictoire.

"19. L'Etat requis ne doit pas faire l'extradition si d'après son droit public l'autorité judiciaire a décidé que la demande ne doit pas être accueillie.

"20. Le gouvernement qui a obtenu une extradition pour un fait déterminé est, de plein droit et sauf convention contraire, obligé de ne laisser juger ou punir l'extradé que pour ce fait.

"21. Le gouvernement que a accordé une extradition peut ensuite consentir à ce que l'extradé soit jugé pour des faits autres que celui qui avait motivé sa remise, pourvu que ces faits peuvent donner lieu à l'extradition.

"22. Le gouvernement que a un individu en son pouvoir par suite d'une extradition ne peut le livrer à un autre gouvernement sans le consentement de celui qui le lui a livré.

"23. L'acte émané de l'autorité judiciaire qui déclare l'extradition admissible devra constater les circonstances dans lesquelles l'extradition a eu lieu et les faits pour lesquels elle a été accordée.

"24. L'extradé devrait être admis à proposer comme exception préalable, devant le tribunal appelé à le juger définitivement, l'irregularité des conditions dans lesquelles l'extradition a eté accordée."

Law Students' Journal.

UNITED LAW STUDENTS' SOCIETY.

This society held its third "vacation meeting" at Clement's-inn Hall, Strand, on Wednesday, the 8th inst., Mr. W. C. Owen in the chair, when a question as to the influence of the weekly papers and periodicals of the day upon literature was discussed. There was a fair attendance. The next meeting will be held on Wednesday, the 22nd inst., when the subject for debate will be, "That the state of English agriculture requires that further compensation for improvements should be secured to tenants than that afforded by the Agricultural Holdings Act, 1875," to be opened by Mr. J. S. Leadam.

Creditors' Claims.

CREDITORS UNDER 22 & 23 VICT. CAP. 25

LAST DAY OF CLAIM.

ADAMS, CLARA, Stockwell park rd. Sept 30. Clarke and Co, Lincoln's inn fields

BAYLEY, HENRY VIRTUE, Ripley, Surrey, Miller. Sept 29. Baker and Co, Cloak lane

BEAKBANE, ELIZABETH, The Retreat, York. Sept 27. Foster and Son, Liverpool

BRAIME, JOSEPH, Methley, York, Grocer. Oct 21. Tennant and Co, Leeds

BYFORD, THOMAS, Grange walk, Bermondsey, Fellmonger. Oct 16. Silvester and Co, Great Dover st, Southwark

CARNEGIE, PRISCILLA MARIA FULLERTON, Woburn pl, Russell sq. Sept 29. Linklater and Co, Walbrook

CHISHOLM, WILLIAM, Hampstead, Gent. Oct 14. Goody and Stock, Queen Victoria st

COLEBATCH, GEORGE, Shelsley Beauchamp, Worcester, Farmer. Oct 9. Andrews, Leominster

DALTON, GEORGE JOHN TUITE, Trinidad, in the West Indies, Esq. Nov 1. Young and Co, Essex st, Strand

DAVISON, THOMAS, Altrincham, Chester, Linen Draper. Oct 15. Dendy and Paterson, Manchester

DYSON, GINNETHON, Paddock, nr Huddersfield, Woollen Cloth Manufacturer. Oct 26. Sykes and Son, Hudderfield

FEATHERSTONE, WILLIAM, Kirby Moorside, York, Gent. Nov 5. Petch, Kirby Moorside

GRANT, JANE, New Windsor, Berks. Oct 1. Long and Co, Windsor

GRIFFITHS, ANN, Newport, Isle of Wight. Oct 10. Buckell, Newport

HAMPTON, WILLIAM, Phillimore terrace, Kensington, a Retired Captain. Sept 15. Tatton, Lower Phillimore pl

HARTLEY, THOMAS, Whitby, York, Gent. Oct 1. Frankland and Co, Whitby

HAWES, ROBERT, Tunstall, Stafford, D.D. Nov 1. Marlow and Potter, Walsall

KILLINGLEY, MARTHA, Nottingham, Herbalist. Sept 29. Towle and Co, Nottingham

MAW, RUFUS, Thornhill, York, Farmer. Oct 1. Lake and Lake, Wakefield

PENNY, ELIZA, Wayford, Somerset. Oct 1. Alford, Crewkerne

SMITH, EDWARD PEASE, Alverstoke, Southampton, Civil Engineer. Oct 4. Moor, Lincoln's inn fields

SUTHERLAND, BENJAMIN, Newcastle-upon-Tyne, Boot Manufacturer. Oct 23. Blacklock and White, Newcastle-upon-Tyne

TAYLOR, PERCY, Stamfordham, Northumberland, Esq. Oct 15. Leadbitter and Co, Newcastle-upon-Tyne

UTTERBY, GEORGE, Sibsey, Lincoln, Farmer. Oct 1. Staniland and Wigelsworth, Boston

VASCONCELLOS, CASEMIRO DE BARROS E, Maranham, Brazil. Oct 6. Lyon and Reynolds, Liverpool

WAGHORNE, ANN, Staplehurst, Kent. Sept 20. Hinds and Son, Goudhurst

WHITBY, MARTHA, Over, Chester. Sept 30. Cooke, Winsford

YOUNG, ROBERT, Markham st, Chelsea, Gent. Oct 7. Flux and Leadbitter, Leadenhall st

[*Gazette*, Sept. 3.]

BARTON, ELIZA, Hamilton terrace, St. John's Wood. Oct 1. Fladgate and Co, Craven st, Strand

BOND, JANE, Elford, Stafford. Oct 4. Twynam, Rugely

BOROUGH, SIR EDWARD RICHARD, Dublin, Baronet. Oct 30. Nicholson and Herbert, New st, Spring gardens.

BUTT, CHARLOTTE, Stockwell park rd, Brixton. Oct 22. Curtis and Betts, South sq, Gray's inn

CLOUD, JOHN, sen., Ryton, Salop, Maltster. Nov 1. Clarke and Son, Shrewsbury

DALE, ELIZA, Great Stanmore. Oct 7. Morley and Shirreff, Palmerston bldgs, Old Broad st

DAWSON, THOMAS, Coverham, York, Trainer of Racehorses. Oct 16. Topham and Burrell, Middleham

DEWHURST, THOMAS, Tottington Lower End, Lancaster, Farmer. Oct 31. Grundy and Co, Bury

DOWNES, CHARLOTTE MARTHA ANN, Camberwell New rd, Kennington. Oct 16. Crowder and Co, Lincoln's inn fields

EVANS, THOMAS, Gloucester, Doctor of Medicine. Oct 30. Whitcombe and Gardom, Gloucester

HARMAN, REV. JOHN, St. James, Enfield Highway, Clerk. Oct 30. Paines and Co, Gresham House, Old Broad st

HAWORTH, WILLIAM, Bury, Lancaster, Solicitors' Clerk. Oct 31. Grundy and Co, Bury

HOLLAND, SARAH, Dudley, Worcester. Sept 25. Robinson and Watts, Dudley

KAY, JANE, Bury, Lancaster. Oct 31. Grundy and Co, Bury

KENYON, JAMES, Bury, Lancaster, Beer Seller. Oct 31. Grundy and Co, Bury

LEWIS, ROBERT, Maddox st, Regent st, Gent. Nov 1. Denton and Co, Gray's inn sq

MCINTYRE, ALEXANDER, Stoke Devonport, Devon, Gent. Nov Gard, Devonport

NOTTINGHAM, WILLIAM, Liverpool, Gent. Sept 15. Lynch and Teebay, Liverpool

ROGERS, FRANCES CHARLOTTE, Wallasey, Chester. Oct 12. Woodham, Liverpool

SHIPLEY, JOHN, Aston, nr Birmingham, Gent. Oct 8. Ansell, Birmingham

TAYLOR, JAMES, King's Lynn, Norfolk, Carpenter. Nov 1. Ward, King's Lynn

UNSWORTH, HUGH, Rainhill, Lancaster, Civil Engineer. Oct 31. Collins and Co, Liverpool

WARD, SAMUEL LOVE, Lowestoft, Gent. Oct 15. Chater, Lowestoft

WILMOND, MARY ELIZABETH, Egremont, Chester. Nov 1. Little and Lamonby, Penrith

WILKINSON, MARGARET, Cockerton, nr Darlington. Oct 1. Dunn and Watson, Darlington
WOODS, SARAH MARIA, Farnkerley, nr Liverpool. Sept 30. Quiggin, Liverpool
WORSWICK, ROBERT, Padiham, Lancaster, Grocer. Oct 9. Artindale and Artindale, Burnley
WRIGHTSON, GEORGIANA, Cusworth park, York. Oct 16. Williams, Bromborough, Cheshire.

[*Gazette*, Sept. 7.]

The Registration Courts.

MARYLEBONE,—(Mr. J. N. GOREN).—Sept. 15.

Aliens.

In 7, Portland-place Ward, the name of his Excellency Lieutenant-General von Bulow, the Danish Minister, was objected to as an alien, and his name was taken off on that account. As there were a great many similar objections on the list,

The BARRISTER said he should lay it down as a rule that when persons were objected to on the gound of being aliens he should take it as *primd facie* evidence that they were so, and strike out the name, unless they attended before him and established the fact that they were not so or were naturalized.

Misdescription of Abode.

In the Bryanston-square Ward, William H. Conroy was objected to on the ground that he did not reside at 18, Salisbury-road, and that, in fact, there was no such place. There was no Salisbury-road, but there was Salisbury "mews," in which Mr. Conroy did reside.

The BARRISTER ruled that he had power to amend descriptions in places where it was proved that they had been wrongly inserted in the list, and he amended the description in this case from "road" to "mews" and retained the name.

CHELSEA.—(Mr. WILLIAMSON)—Sept. 15.

Personal Attendance of Claimants.

The BARRISTER announced that he should require the personal attendance of all new claimants, householders as well as lodgers. This ruling is founded on a *dictum* of Mr. Justice Denman in his judgment in the registration appeal case, *Pickard* v. *Baylis* (28 W. R. 256), relating to the interpretation of section 23 of the Registration Act of 1876.

The difficulty as to the Lord Advocate of Scotland is, says the London correspondent of the *Manchester Guardian*, shortly to be finally got rid of by his elevation to the bench. Even should Lord Ormidale, the present ailing Scotch judge, recover, he must soon retire, and Mr. M'Laren will take the vacant seat. Mr. Balfour, the Solicitor-General, who was defeated in his attempt on North Ayrshire at the general election, will become Lord Advocate, and enter Parliament as successor to Mr. W. P. Adam in the representation of the counties of Kinross and Clackmannan, being succeeded as Solicitor-General by Mr. Asher.

BIRTHS.

BENSON.—Sept. 9, at Kilvrough, Glamorgan, the wife of William Denman Benson, barrister-at-law, of a son.
FEW.—Sept. 11, at Brixton, the wife of J. Wilton Few, 79, Borough High-street, Southwark, solicitor, of a daughter.
SUTTON.—Sept. 10, at 49, Lexham-gardens, Cromwell-road, the wife of Henry Sutton, barrister-at-law, of a son.

LONDON GAZETTES.

Bankrupts.

FRIDAY, Sept. 10, 1880.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Chamberlaine, Alonzo P , South st, Finsbury, Director of a Public Company. Pet Sept 7. Murray. Sept 21 at 11.30
Doust, Edward, Borough High st, Hop Merchant. Pet Sept 7. Murray. Sept 22 at 11

To Surrender in the Country.

Aliott, William, Kingston-upon-Hull, Iron Merchant. Pet Sept 1. Rollit. Kingston-upon-Hull, Sept 22 at 3
Crawford, William, New Barnet, Hertford, out of business. Pet Sept 8. Harris. Barnet, Sept 29 at 3
Fulcher, John, Gt Waltham, Essex, Innkeeper. Pet Sept 6. Gepp. Chelmsford, Sept 24 at 11
Llewelyn, Ada, Tenby. Pet Sept 6. Parry. Pembroke Dock, Sept 24 at 11.30
Marples, George, and Albert Marples, South Heeley, York, Joiners. Pet Sept 6. Wake. Sheffield, Sept 27 at 10.30
Reis, Arthur Montague, Liverpool, Banker. Pet Sept 6. Cooper. Liverpool, Sept 22 at 11
Todd, John, Dudley, Worcester, Grocer. Pet Sept 7. Walker. Dudley, Sept 25 at 12
Townsend, Frederick, Calstock, Cornwall, Grocer. Pet Sept 8. Edmonds. East Stonehouse. Sept 24 at 12
Vernon, George, Stapenhill, Derby, Brickmaker. Pet Sept 7. Hubbersty. Burton-on-Trent, Oct 6 at 11
Voice, Nicholas, Horley, Surrey, Horticultural Builder. Pet Sept 3. Rowland. Croydon, Sept 24 at 2

TUESDAY, Sept. 14, 1880.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in the Country.

Anderson, D'Arcy Henry Strangeways, Liverpool, Licensed Victualler. Pet Sept 10. Cooper. Liverpool, Sept 27 at 11
Barr, James, Essex, Yacht Builder. Pet Sept 11. Barnes. Colchester, Sept 25 at 1
Burrell, Frederick William Breeze, Heigham, Norwich, Sugar Boiler. Pet Aug 30. Cooke. Norwich, Sept 27 at 12
Dewar, Thomas, Wigan, Lancaster, Draper. Pet Sept 9. Hope. Wigan, Sept 30 at 11
John, William, Tongwyn, nr Bridgend, Farm Bailiff. Pet Sept 8. Langley. Cardiff, Sept 27 at 12
Leigh, William George, and John Leigh, Middleton, Lancaster, Brewers. Pet Sept 10. Tweedale. Oldham, Sept 27 at 11
Meredith, Martha, Hove, Sussex, Boarding School Proprietor. Pet Sept 9. Jones. Brighton, Sept 29 at 11
Renn, Thomas, Birmingham, Printer. Pet Sept 9. Parry. Birmingham, Sept 30 at 2
Rood, William, Brighton, Grocer. Pet Sept 8. Jones. Brighton, Sept 29 at 12
Sutcliffe, James, Todmorden, Lancaster, Grocer. Pet Sept 9. Hartley. Burnley, Oct 7 at 3.30
Toogood, Frederick, South Molton, Devon, Innkeeper. Pet Sept 10. Bencraft. Barnstaple. Sept 27 at 12

BANKRUPTCIES ANNULLED.

FRIDAY, Sept. 10, 1880.

Braund, Julianna Mary Kelly, Clifton Hill, Exeter. Aug 12

TUESDAY, Sept. 14, 1880.

Gepp, Arthur Mildmay, Rood lane, China Merchant. Sept 11
Newcomen, Charles Edward, Maddox st, Gent. Sept 6
Samuels, Charles Edward, Manchester, Merchant. Sept 10

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Sept. 10, 1880.

Ackland, Thomas, Honiton, Devon, Merchant. Sept 24 at 12 at 13, Bedford circus, Exeter. Every
Agnew, Arthur George Wedderburn, Welchpool, Montgomery, Watch Maker. Sept 29 at 11 at offices of Jones, Severn st, Welchpool
Armfield, Thomas, Hyde, Chester, out of business. Sept 28 at 10 at offices of Rideal, Brasennose st, Manchester
Armstrong, Thomas, Liverpool, Watch Manufacturer. Sept 30 at 3 at offices of Bremner and Co, Dale st, Liverpool
Bedford, John Clayton, Sunderland, Durham, Grocer. Sept 21 at 11 at offices of Green, John st, Sunderland
Botting, Charles, Washington, Sussex, Farmer. Sept 30 at 2 at the Arundel Arms, Ford Junction. Mant, Storrington
Brierley, Benjamin, Ossett, York, out of business. Sept 27 at 3 at offices of Ibberson, Westgate, Dewsbury
Brookes, John, Sandbeds, Stafford, Victualler. Sept 23 at 11 at offices of Vaughan, Walsall st, Willenhall
Bulpin, Charles, Taunton, Somerset, Hay Dealer. Sept 23 at 10 at offices of Reed and Cook, Paul st, Taunton
Butler, Richard, Newport, Isle of Wight, Plumber. Sept 22 at 11 at offices of Joyce, Sea st, Newport
Cammidge, William, Halifax, York, Ironmonger. Sept 27 at 3 at the White Lion Hotel, Silver st, Halifax. Boocock, Halifax
Chapple, John Ashton, Northam, Devon, Butcher. Sept 24 at 12 at offices of Thorne, Castle st, Barnstaple
Churchill, John Giles, Aberdare, Glamorgan, Saddler. Sept 23 at 1 at the Royal Talbot Hotel, Victoria st, Bristol. Morgan, Pontypool
Clegg, William, Rochdale, Lancaster, Grocer. Sept 21 at 11 at offices of Molesworth, Central chambers, The Walk, Rochdale
Clowes, Thomas Joseph, Salford, Lancaster, House Decorator. Sept 30 at 3 at offices of Rylance, Essex st, Manchester
Cooke, Thomas, Woolwich, Oil and Color Man. Sept 23 at 3 at offices of Chapman and Bendle, Gresham st, Basinghall st
Cox, Edwin, Kingswinford, Stafford, Grocer. Sept 21 at 11 at offices of Homfray and Holberton, High st, Brierley hill
Cutting, Charles Henry, Portobello rd, Notting hill, Carpenter. Oct 6 at 11 at offices of Browne, Talbot rd, Bayswater. Tilsley, Abchurch yard
Dolman, Job, Dudley, Worcester, Grocer. Sept 23 at 4 at offices of Warmington, Castle st, Dudley
Dyson, Joseph, Kingston-upon-Hull, Coal Merchant. Sept 22 at 12 at offices of Reed, St. Mary's chambers, Lowgate, Kingston-upon-Hull
Edwards, Arthur, Elmswell, Suffolk, Grocer. Oct 4 at 11 at the King's Hotel, Stowmarket. Gudgeon
Etches, Jacob, Kirkgate, Wakefield, General House Furnisher. Sept 22 at 3 at the Royal Hotel, Wood st, Wakefield
Feather, Thomas, Mirfield, York, Commission Agent. Sept 29 at 11 at the Old Cock Hotel, Halifax. Lancaster and Wright, Bradford
Featherstone, Stephen Eversfield, New Cross rd, out of business. Sept 29 at 2 at the Guildhall Tavern, Gresham st. Howard, Greenwich rd
Flynn, Michael, Wolverhampton, Beerhouse keeper. Sept 29 at 12 at offices of Willcock, Queen's chambers, North st, Wolverhampton

Gardner, William, Gorleston, Suffolk, Sailmaker. Sept 24 at 12 at offices of Blake, Hall Quay chambers. Great Yarmouth. Palmer, Great Yarmouth

Garner, John, Elizabeth terrace, Rotherhithe, Baker. Sept 24 at 4 at offices of Kilvington, Walbrook

Gibbins, Henry, Leeds, Boot Manufacturer. Sept 22 at 3 at offices of Ford and Warren, Albion st, Leeds

Griffiths, John, Cradley, Hereford, Beerhouse keeper. Sept 28 at 12 at offices of Corbett, Avenue House, the Cross, Worcester

Griffiths, William, sen, and William Griffiths, jun, Newtown, Montgomery, Builders. Sept 24 at 12.30 at offices of Williams and Co, Market st, Newtown

Haddock, Alice, Brighton, Chemist. Sept 29 at 4 at 2, Gresham buildings, Basinghall st. Goodman, Brighton

Haitemore, Charles, Lambeth walk, Cheesemonger. Sept 17 at 10 at the Mitre Hotel, Palace rd, Lambeth. Goatley, Westminster Bridge rd

Hawgood, John, Brighton, General Outfitter. Sept 27 at 2 at the Guildhall Coffee house, Gresham st. Cockburn, Brighton

Henriques, Frederick, Broke rd, Dalston, Warehouseman's Clerk. Oct 2 at 11 at the Inns of Court Hotel, High Holborn. Dunn, Paulet rd, Camberwell

Herbert, Frederick William, John William Christian, and Robert Henry Burton, Newman street, Oxford st, Manufacturing Jewellers. Sept 22 at 2 at offices of Hughes and Kennedy, Clements inn, Strand

Hewer, George, Salford, Lancaster, Builder. Sept 23 at 3 at offices of Lawson, Peter st, Manchester

Heywood, William, Heywood, Lancaster, Rope Maker. Sept 22 at 10 at offices of Banks, Market pl, Heywood

Horsbrough, David Watson, North Shields, General Draper. Sept 24 at 12 at offices of Smith, Camden st, North Shields

Hyland, John, Birmingham, Wholesale Tea Dealer. Sept 22 at 11 at offices of Hodgson and Haigh, Waterloo st, Birmingham

Jones, David, Landore, nr Swansea, Provision Merchant. Sept 21 at 11 at offices of Thomas, York pl, Swansea

Jones, John, Colva, Radnor, Farmer. Sept 22 at 11.30 at the Burton House Hotel, Kington. Tidd-Pratt and Davies, Kington

Jones, Margaret, Lambeth walk, Surrey, Dealer in Oils and Sundries. Sept 21 at 2 at offices of Waring, Borough High st, Southwark

Lamb, Henry, Nottingham, Pork Butcher. Sept 28 at 3 at offices of Belk, Middle pavement, Nottingham

Lewis, John Philip, Rickmansworth, Hertford, Chemist. Sept 27 at 2 at the Law Institution, Chancery lane. Sedgwick and Turner, Watford

Lilly, Royal William, Kirtley, Suffolk, Plumber. Sept 30 at 3 at offices of Chater, London rd, Lowestoft

Linney, George, Denton, Lancaster, Hat Box Manufacturer. Sep 28 at 12 at 23, Fountain st, Manchester. Lord and Son, Ashton-under-Lyne

Lochhead, William, Lightcliffe, York, Designer. Sept 28 at 3 at the Creditors' Association, Crown st, Halifax

Lock, Francis John, Aylestone Park, Leicester, Author and Publisher. Sept 22 at 3 at offices of Smart, Silver st, Leicester

Lund, John Mann, Bradford, York, Yeast Dealer. Sept 22 at 3 at Creditors Association, Parkinson chambers, Market st, Bradford

Lappen, George, Pratt's rd, Clapton Park, Butcher. Sept 20 at 10 at offices of Biggenden, Well st, Hackney

McKeever, Patrick Lawrence, Hockley, Birmingham, out of business. Sept 21 at 11 at offices of East, Temple st, Birmingham

Morley, James Knight, Stapenhill, Derby, Architect. Sept 22 at 2 at Bear Inn, Horninglow st, Burton-on-Trent. Hextall, Derby

Moy, George Saker, Harleyford rd, Vauxhall, Builder. Sept 21 at 2 at Frederick's pl, Old Jewry. Maples and Co

Ogle, Frederick, Newcastle-upon-Tyne, Provision Merchant. Sept 20 at 3 at offices of Wilson, Collingwood st, Newcastle-upon-Tyne

Parks, Robert, Mexbrough, York, Publican. Sept 24 at 11 at offices of Badgers and Co, Moorgate st, Rotherham

Pawson, George, Hedon-in-Holderness, York, Coal and Lime Merchant. Sept 21 at 3 at offices of Pickering, Parliament st, Hull. Watson and Son, Hull

Pinchin, Joseph, Keighley, York, Bread Manufacturer. Sept 22 at 2.30 at offices of Robinson and Robinson, Keighley

Powell, Jabez, Cardiff, Grocer. Sept 20 at 1.30 at offices of Collins, Broad st, Bristol. Miller, Cardiff

Reade, William James, Tower Varnish Works, Birmingham. Sept 23 at 3 at Queen's Hotel, Stephenson place, Birmingham. Dale and Vachell, Birmingham

Ralph, Matthew, Leigh, Lancaster, Draper. Sept 23 at 3 at Courts Hotel, Church st, Leigh. Taylor and Sons

Richardson, Charles William, Defoe rd, Stoke Newington, Coach Builder. Sept 27 at 2 at offices of Kenny, Pancras lane. King, Coleman st

Riley, Abraham, Halifax, York, Milliner. Sept 28 at 11 at Creditors' Association, Crown st, Halifax

Rodgers, William, Market Drayton, Salop, Watchmaker. Sept 23 at 11.30 at Royal Hotel, Nantwich rd, Crewe. Pearson, Market Drayton

Sale, William Henry, Wolverhampton, Spring Mattress Manufacturer. Sept 25 at 11 at offices of Gatis, King st, Wolverhampton

Shaw, Christopher Eagle Foundry, Attercliffe. Sept 27 at 3 at offices of Burdekin and Co, Norfolk st, Sheffield

Shaw, John, Low Walker, Northumberland, Shipbuilder. Sept 21 at 11.30 at offices of Strachen and Co, Grainger st, Newcastle-upon-Tyne. Hoyle and Co

Shipton, John James, Railway arches, Notting hill, Mineral Water Manufacturer. Sept 22 at 2 at offices of Waring, Borough High st, Southwark

Simmonds, Joseph, Liverpool, Monumental Sculptor. Sept 22 at 3 at offices of Horner, Stafford st, Liverpool

Slack, John, Mount Pleasant, Durham, Grocer. Sept 23 at 11 at offices of Wilson and Langley, Elvet bridge, Durham

Smee, Percy, Atlantic rd, Brixton, Grocer. Sept 24 at 2 at offices of Brett and Co, Leadenhall st. Mandale, Mitre ct, Fleet st

Sparks, Isaac, Brockenhurst, Southampton, Farmer. Sept 24 at 12 at offices of Moore and Co, Captain's row, Lymington

Spittle, Henry, Wednesbury, Stafford, Licensed Victualler. Sept 24 at 12 at offices of Thursfield and Messiter, Lower High st, Wednesbury

Stockton, Henry, Crowley, Chester, Farmer. Sept 23 at 3 at the Norton Arms Hotel, Latchford. Sims, Manchester

Sutton, William, Dudley, Worcester, Fruiterer. Sept 24 at 4 at offices of Warmington, Castle st, Dudley

Swanson, James Greig, Stratford rd, Kensington, Builder. Sept 18 at 10 at Ridler's Hotel, Holborn. Hope, Bell yd, Royal Courts

Thirgood, Henry, Lower Edmonton, Market Gardener. Sept 23 at 11 at Guildhall Tavern, Gresham st. Ayers, Gresham bldgs

Thomas, Evan, Ferndale, near Pontypridd, Grocer. Sept 28 at 12 at offices of Collins, Brad st, Bristol. Rosser, Pontypridd

Thomas, William David, Llanwonno, Glamorgan, Grocer. Sept 23 at 12 at Queen's Hotel, St Mary st. Cardiff. Phillips, Aberdare

Thompson, Charles, Leeds, Tobacconist. Sept 21 at 2.30 at offices of Turner and Hewson, Park sq, Leeds

Turner, Thomas, Stockport, Cheshire, Hurdle Manufacturer. Sept 23 at 2.30 at offices of Brown and Ainsworth, St Petersgate, Stockport

Webb, Frederick Brooks, Southminster, Essex, Chemist. Sept 30 at 11 at Castle and Falcon Hotel, Aldersgate st. Digby and Evans, Maldon

Whitby, George, Birmingham, Tailor. Sept 21 at 3 at offices of Parry, Colmore row, Birmingham

Whiteley, John Wilson, Kiver rd, Upper Holloway, Pianoforte Action Maker. Sept 30 at 3 at Kennan's Hotel, Crown ct, Cheapside. Lovett and Co, King William st, Strand

Wilkes, William, Bromsgrove, Worcester, Commission Agent. Oct 1 at 12 at offices of Corbett, Avenue House, The Cross, Worcester

Wylde, George, Stoke Prior, Worcester, Builder. Sept 23 at 12 at offices of Corbett, Avenue House, The Cross, Worcester

Wymer, Jeremiah, Playhouse yd, Golden lane, Job Master. Sept 27 at 3 at offices of Wright and Law, High Holborn

TUESDAY, Sept. 14, 1880.

Aveling, John, High st, Battersea, Boot and Shoe Manufacturer. Sept 23 at 3 at 42, Chancery lane. Brougham Roberts, Thanet pl, Strand

Bell, Ruth, Tait st, Carlisle. Sept 27 at 3 at offices of Johnson, Bank st, Carlisle

Bentley, James, Middleport, Burslem, Stafford, Printer. Sept 27 at 11 at offices of Cooper, John st, Tunstall

Beswick, Thomas, Stodart, Liverpool, Musical Instrument Dealer. Sept 28 at 11 at offices of Morley and Sheriff, Palmerston bldgs, Old Broad st. Snowball, Liverpool

Blackshaw, John, Macclesfield, Builder. Sept 27 at 3 at offices of Froggatt, Chester gate, Macclesfield

Blasby, Samuel, Ipswich, Builder. Sept 27 at 11 at 9, Arcade st, Ipswich. Steward and Rouse

Blockley, James, High st, Camden Town, Bookseller. Sept 24 at 3 at 40, Southampton buildings, Holborn. Cooper, Chancery lane

Booth, Clement, Kilminster, Hants, Farmer. Oct 2 at 2.30 at offices of Adams and Co, Jewry st, Winchester

Brereton, Thomas, Shavington-cum-Gresty, Chester, Builder. Oc 4 at 11 at offices of Hill, Market st, Crewe

Brett, Edward Preachey, Frederick ter, Wandsworth, Cricketing Outfitter. Sept 29 at 2 at offices of Spry and Sons, Old Broad st

Brett, Joseph Thomas, Lambeth walk, Cheesemonger. Sept 27 at 3 at offices of Groom, New Broad st. Cattlin, Wormwood st

Cannan, John Samuel, Stoke-upon-Trent, Dairyman. Sept 25 at 2 at offices of Lawrence, Old Hall st, Hanley

Coleman, Francis, Birmingham, Fishmonger. Sept 28 at 3 at offices of Duke, Temple row, Birmingham

Colman, John Thirtle, North Shields, Dealer in Bicycles. Sept 25 at 11 at offices of Dickinson, Royal arcade, Newcastle-upon-Tyne

Coulbeck, James John, and Edward Veal Slater, Great Grimsby, Wood Turners. Sept 27 at 4 at offices of Stephenson and Mountain, Bethlehem st, Great Grimsby

Dann, George, Tunbridge Wells, Kent, Butcher. Sept 24 at 11 at offices of Stone and Simpson, Church st, Tunbridge Wells

Davies, John, Old Radnor, Radnor, Farmer. Sept 29 at 12 at offices of Stephens, Presteign

Davies, Thomas, West Hartlepool, Grocer. Sept 27 at 3 at offices of Bell and Son, Church st, West Hartlepool

Dutton, Jacob, Manchester, Boot and Shoe Manufacturer. Oct 1 at 11 at offices of Whit, King st, Manchester. Whitehead, Manchester

Edge, Francis, Bucknall, Stafford, Coal Dealer. Sept 22 at 10 at offices of Ashmall, Albion st, Hanley

Elliott, Thomas, Hastings, Draper. Sept 29 at 12 at the Guildhall Tavern, King st. Gorham and Warner, Tonbridge

Evans, David Seem, Cymmer, Glamorgan, Grocer. Sept 29 at 12 at the Grand Hotel, Broad st, Bristol. Linton and Kenshole, Aberdare

Farnsworth, Henry, Clay Cross, Derby, Licensed Victualler. Sept 24 at 11 at offices of Jones and Middleton, Gluman gate, Chesterfield

Fielding, Henry, Leeds, Boot Manufacturer. Sept 24 at 1 at offices of Rooke and Midgley, White Horse st, Boar lane

Fox, Thomas Lucas, Sleaford, Lincoln, Licensed Victualler. Sept 28 at 11.30 at offices of Atter, Barn hill, Stamford

Fyfe, Alexander Leslie, and James Robinson, Maidenhead ct, Falcon sq, Manufacturers. Sept 24 at 2 at offices of Howard and Co, New Bridge st

Garside, George, Ashton-under-Lyne, Lancashire, Draper. Sept 25 at 3 at offices of Hampson, Booth at chambers, Ashton-under-Lyne

Goulburn, John, Rochdale, Cabinet Maker. Sept 27 at 3 at offices of Standring and Taylor, King st, Rochdale

Grundy, Henry, Liverpool, Earthenware Dealer. Sept 27 at 3 a offices of Quilliam, Old Post office pl, Liverpool

Heaps, Mary, and William Heaps, Chester, Contractors. Sept 29 at 2.30 at offices of Bridgman and Co, Westminster bldgs, Newgate st, Chester

Heath, William Boddy, Terrington, York, Innkeeper. Sept 27 at 3 at offices of West, Market pl, Thirsk

Hodson, Frank Edwin, Manchester, Cotton Broker. Sept 23 at 11 at offices of Sutcliffe and Ireland, Booth st, Manchester

Hughes, William Henry, Leftwich, Cheshire, Painter. Sept 27 at 3 at offices of Cheshire and Son, Northwich

Hunt, John, Finsbury sq, Wine Merchant. Oct 5 at 2 at offices of Kelley, Great James st, Bedford row

Ingram, Samuel, Wolverhampton, Corn Factor. Sept 28 at 12 at offices of Underhill, Darlington st, Wolverhampton

Ive, Edmund, Shepherd's hill Farm, Harefield, Farmer. Sept 28 at 3 at the Guildhall Tavern, Gresham st. Cooper, Chancery lane

Jackson, Robert Farrer, and John Beedham Haith, Kingston-upon-Hull, Fish Curers. Sept 29 at 3 at offices of Martinson, Exchange buildings, Bowlalley lane, Kingston-upon-Hull

Johnson, William Bell, Sunderland, Durham, Fruiterer. Sept 28 at 11 at offices of Brown and Son, Villiers st, Sunderland

Jones, John, Pwllheli, Carnarvon, Coal Merchant. Sept 24 at 12.30 at the Queen's Hotel, Chester. Breese and Co, Pwllheli

Judd, William, Hunslet, Leeds, Innkeeper. Sept 24 at 3 at offices of Brooke, East parade, Leeds

Juhrs, Julius William, Jewin st, Licensed Victualler. Sept 25 at 10.30 at offices of Layton and Co, Budge row, Cannon st

Kerfoot, John, Frodsham, Chester, Licensed Victualler. Sept 28 at 3 at offices of Davies and Co, Market pl, Warrington

Lawrence, Edward, Wellington, Salop, Auctioneer. Sept 27 at 12 at offices of Knowles, Wellington

Lewis, Arthur Henry, and Joseph Nugent Lewis, Gloucester, Builders. Sept 24 at 2 at offices of Jones, Eldon chmbrs, Berkeley st, Gloucester

Lewis, Henry Evan, and Edmund Lewis, Brynmawr, Brecon, Grocers. Sept 24 at 1 at offices of Simons and Plews, Church st, Merthyr Tydfil

Leyland, Daniel, Bolton, Lancaster, Retsaurant Keeper. Sept 29 at 11 at offices of Taylor, Acres field, Bolton

Lord, Richard, Robert, Northleigh, Oxford, of no occupation. Sept 28 at 12 at Liberal Hall, New Inn, Hall st, Oxford. Bickerton, Oxford

Lucas, Walter, High st, Wandsworth, Ironmonger. Oct 4 at 2 at Masons' Hall Tavern, Mason's avenue, Basinghall st. Hope, Chancery lane

Lyman, Joseph, West Bromwich, Stafford, Miner. Sept 28 at 11 at offices of Jackson and Sharpe, High st, West Bromwich

Marshall, George Owston, Leicester, Boot and Shoe Manufacturer. Oct 1 at 3 at offices of Fowler and Co, Friar lane, Leicester

Mayhew, William Henry, Whittington rd, Peckham, of no occupation. Sept 29 at 2 at offices of Eastwood, Bishopsgate street Within

Mills, Edwin, Freemantle, China and Earthenware Dealer. Sept 22 at 3 at offices of Harlow, Southampton buildings, Holborn. Shutte Southampton

Morgan, Edward, Moss side, Lancaster, Builder. Sept 30 at 3 at Old Townhall, King street, Manchester. Booth, Manchester

Mundy, Thomas, Edgware rd, Grocer. Sept 30 at 12 at offices of Foster, Birchin lane

Neale, Julian, Pownall terrace, Fulham, Boot and Shoe Manufacturer. Sept 28 at 2 at offices of Sydney, Leadenhall st

Neep, Thomas, jun, Nottingham, Commission Agent. Oct 4 at 3 at offices of Lees, Severn chambers, Middle pavement, Nottingham

Owen, Rowland, Seacombe, Chester. Sept 30 at 2 at offices of Hannen and Pugh, Duncan st, Birkenhead

Payne, Charles, Langport, Somerset, Photographer. Sept 30 at 12 at offices of Reed and Cook, King's sq, Bridgwater

Pearce, Elizabeth, Bucknall, Stoke-upon-Trent, Licensed Victualler. Oct 4 at 3 at the Albion House, Cheapside, Hanley. Walker, Hanley

Porter, William, Bolton, Lancaster, Landscape Gardener. Sept 27 at 3 at offices of Eckersley, Mawdsley st, Bolton

Potter, William Sharpe, Leicester, Builder. Sept 27 at 3 at offices of Wright, Belvoir st, Leicester

Robson, John Thomas, Leeds, Wholesale Clothier. Sept 27 at 3 at offices of Pullan, Bond st, Leeds

Rock, John, Rudge, Salop, Farmer. Oct 5 at 3 at Queen's chambers, North st, Wolverhampton

Rogers, Theodore, jun, Barnsley, York, Stationer. Sept 27 at 11 at at offices of Senior, Regent st, Barnsley

Rogers, William Edward, Thornton Heath, Croydon, Grocer. Sept 30 at 3 at Cannon st Hotel, Cannon st. Evans and Co

Rutter, Thomas, Worcester, Hay Cutter. Sept 30 at 11 at offices of Tree and Son, High st, Worcester

Sainsbury, Elizabeth, Lamb's Conduit st, Coal Merchant. Sept 24 at 10 at offices of Evans and Peacock, John st, Bedford row

Scott, Walter, Manchester, Fish Salesman. Sept 24 at 11 at offices of Challinor, Brazennose st, Manchester.

Sidaway, William, Birmingham, Boot Manufacturer. Sept 24 at 10.15 at offices of East, Temple st, Birmingham

Smith, Henry, Manchester, Yarn Agent. Oct 1 at 3 at offices of Addleshaw and Warburton, Norfolk st, Manchester

Speight, James, Leeds, Stone Merchant. Sept 24 at 3 at offices of Middleton and Sons, Calverley chmbrs, Victoria sq, Leeds

Thatcher, George, Chesterton, Stafford, Grocer. Sept 23 at 11 at offices of Griffith, Lad lane, Newcastle-under-Lyme

Toombs, Alfred Lawrence, Vivian rd, Peckham Rye, Commercial Clerk. Oct 8 at 2.30 at offices of Chandler, Bishopsgate st Within

Turner, Robert, Swansea, out of business. Oct 4 at 2 at offices of Jellicoe, Prospect pl, Swansea

Turton, William, Pocklington, York, Horse Dealer. Sept 25 at 12 at offices of Mann and Son, New st, York

Ulett, Frank Thomas Albert, Hereford, Market Gardener. Sept 27 at 11 at offices of Scobie, Offa st, Hereford

Underhill, Richard, Kidderminster, Worcester, Market Gardener. Sept 23 at 3 at offices of Roden and Dawes, Bank buildings, Kidderminster

Vowles, Walter William, Weston-super-Mare, Carpenter. Sept 23 at 12 at offices of Chapman, Grove rd, Weston-super-Mare

Watts, Edward, Bournemouth, Hants, Jeweller. Sept 28 at 1 at Inns of Court Hotel, High Holborn. Sharp, Christchurch

White, George, Downs Park rd, West Hackney, Surgeon. Sept 29 at 3 at the Guildhall Tavern, Gresham st. Foster, Gracechurch st

White, Joseph Marsh, Stockport, Chester, General Agent. Sept 20 at offices of Coppock and Co, Vernon st, Stockport

White, Joseph Marsh, Stockport, Chester, General Agent. Sept 20 at offices of Coppock and Co, Vernon st, Stockport

Whitmore, William, Liverpool, Tailor. Sept 28 at 3 at offices of Browne, Hatton garden, Liverpool

Wickert, Peter, Silver st, Golden sq, Baker. Sept 29 at 12 at the Law Institution, Chancery lane. Price, Walbrook

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